

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PREMERA,

Plaintiff,

v.

LEXINGTON INSURANCE COMPANY;
BCS INSURANCE COMPANY; HOMELAND
INSURANCE COMPANY OF NEW YORK;
IRONSHORE SPECIALTY INSURANCE
COMPANY; RLI INSURANCE COMPANY;
TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA; AND RSUI
INDEMNITY COMPANY,

Defendants.

No. 2:17-cv-00714-RSL

**STIPULATION FOR DISMISSAL
OF DEFENDANT LEXINGTON
INSURANCE COMPANY WITH
PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1) and (2), Plaintiff Premera Blue Cross (“Premera”) and Defendant Lexington Insurance Company (“Lexington”) by and through their respective attorneys, hereby dismiss all claims, counterclaims and defenses asserted by and between Premera and Lexington with prejudice, with Premera and Lexington to bear their own fees and costs. Defendants BCS Insurance Company (“BCS”); Homeland Insurance Company Of New York (“Homeland”); Ironshore Specialty Insurance Company (“Ironshore”); RLI Insurance Company (“RLI”); Travelers Casualty and Surety Company of America (“Travelers”); and RSUI Indemnity Company (“RSUI”), by and through their respective attorneys, hereby stipulate to the dismissal. This stipulation does not apply to claims or counterclaims between

STIPULATION FOR DISMISSAL OF DEFENDANT LEXINGTON
INSURANCE COMPANY WITH PREJUDICE - 1
(17-CV-00714-RSL)

Davis Wright Tremaine LLP
LAW OFFICES
Suite 3300 · 920 Fifth Avenue
Seattle, Washington 98104-1610
(206) 622-3150 · Fax: (206) 757-7700

1 Premera and any other remaining party in this litigation.

2 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

3 DATED this 9th day of August, 2021.

5 By s/ Everett W. Jack, Jr.

6 Everett W. Jack, Jr., WSBA #47076

7 Davis Wright Tremaine LLP

8 1300 SW 5th Ave., Ste. 2400

9 Portland, OR 97201-5682

10 Telephone: (503) 778-5218

11 Fax: (503) 778-5299

12 Email: everettjack@dwt.com

13 ***Attorneys for Defendants Lexington Insurance***
14 ***Company***

12 By: s/ John R. Neeleman

13 John R. Neeleman, WSBA #19752

14 By: s/ Gwendolyn C. Payton

15 Gwendolyn C. Payton, WSBA #26752

16 Kilpatrick Townsend & Stockton LLP

17 1420 5th Ave., Suite 3700

18 Seattle, Washington 98101

19 Telephone: (206) 467-9600

20 [Email: gpayton@kilpatricktownsend.com](mailto:gpayton@kilpatricktownsend.com)

21 [Email: jneeleman@kilpatricktownsend.com](mailto:jneeleman@kilpatricktownsend.com)

22 ***Attorneys for Defendant/Counterclaim Plaintiff***
23 ***Premera***

1 By: s/ Eliot Harris
Eliot Harris, WSBA #36590

2 By: s/ Rodney Umberger, Jr.
Rodney Umberger, Jr., WSBA #24948
3 Williams Kastner & Gibbs PLLC
4 601 Union Street, Suite 4100
2 Union Square
5 Seattle, Washington 98101
Telephone: (206) 628-6600
6 [Email: eharris@williamskastner.com](mailto:eharris@williamskastner.com)
[Email: rumberger@williamskastner.com](mailto:rumberger@williamskastner.com)

7 By: s/ Mary Jo Barry
Mary Jo Barry, *pro hac vice*
8 Kaufman Dolowich & Voluck, LLP
40 Exchange Place, 20th Floor
9 New York, New York 10005
Telephone: (212) 485-9600
10 [Email: mbarry@kdvlaw.com](mailto:mbarry@kdvlaw.com)
Attorneys for Ironshore Specialty Insurance
Company

13 By: s/ Jeremy Roland Schulze
Jeremy Roland Schulze, WSBA #46670

14 By: s/ Lawrence Gottlieb
Lawrence Gottlieb, WSBA #20987
15 Betts Patterson & Mines
701 Pike Street, Suite 1400
16 Seattle, Washington 98101
Telephone: (206) 292-9988
17 [Email: jschulze@bpmlaw.com](mailto:jschulze@bpmlaw.com)
[Email: lgottlieb@bpmlaw.com](mailto:lgottlieb@bpmlaw.com)

18 By: s/ Douglas M Mangel
Douglas M. Mangel, Pro Hac Vice
19 CLYDE & CO US LLP
1775 Pennsylvania Avenue NW, 4th Floor
20 Washington, DC 20006
Telephone: (202) 747-5120
21 [Email: doug.mangel@clydeco.us](mailto:doug.mangel@clydeco.us)
Attorneys for RLI Insurance Company

1 By: s/ Joseph D. Hampton
Joseph D. Hampton, WSBA #15297
2 Betts Patterson & Mines
701 Pike Street, Suite 1400
3 Seattle, Washington 98101
Telephone: (206) 292-9988
4 Email: jhampton@bpmlaw.com

5 By: s/ Andrew Oldis
Andrew Oldis, *pro hac vice*

6 By: s/ Matthew M Collibee
Matthew M. Collibee, *pro hac vice*

7 By: s/ Wayne E. Borgeest
Wayne E. Borgeest, *pro hac vice*

8 By: s/ Joan Gilbride
Joan Gilbride, *pro hac vice*
9 Kaufman Borgeest & Ryan
200 Summit Lake Drive
10 Valhalla, New York 10595
Telephone: (914) 449-1091
11 Email: aoldis@kbrlaw.com
12 Email: mcollibee@kbrlaw.com
13 Email: wborgeest@kbrlaw.com
14 Email: jgilbride@kbrlaw.com

***Attorneys for Travelers Casualty and Surety
Company of America***

15
16 By: s/ Alfred E. Donohue
Alfred E. Donohue, WSBA #32774
17 Wilson Smith Cochran Dickerson
901 Fifth Avenue, Suite 1700
18 Seattle, Washington 98164
Telephone: (206) 623-4100
19 Email: Donohue@wscd.com

20 By: s/ Marc Pearlman
Marc Pearlman, *pro hac vice*
21 Kerns, Frost & Pearlman, LLC
2201 Waukegan Road, Suite 160
22 Bannockburn, Illinois 60015
Telephone: (312) 261-4550
23 Email: mpearlman@kfplegal.com
Attorneys for BCS Insurance Company

By: s/ Robert I Guite

Robert J. Guite, WSBA #25753
Sheppard Mullin Richter & Hampton
4 Embarcadero Center, 17th Floor
San Francisco, California 94111
Telephone: (415) 434-9100
[Email: RGuite@sheppardmullin.com](mailto:RGuite@sheppardmullin.com)
*Attorneys for Homeland Insurance Company of
New York*

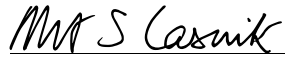
By: s/ Jennifer L. Crow

Jennifer L. Crow, WSBA #43746
Scheer Law Group LLP
101 SW Main St, Suite 1600
Portland, Oregon 97204
Telephone: (503) 542-1200
[Email: jcrow@scheerlaw.com](mailto:jcrow@scheerlaw.com)
Attorneys for RSUI Indemnity Company

[ORDER ON FOLLOWING PAGE]

Based on the above Stipulation, **IT IS SO ORDERED.**

Dated this 17th day of August, 2021.



Robert S. Lasnik
United States District Judge

Presented by:

By s/ Everett W. Jack, Jr.

Everett W. Jack, Jr., WSBA #47076

Davis Wright Tremaine LLP

1300 SW 5th Ave., Ste. 2400

Portland, OR 97201-5682

Telephone: (503) 778-5218

Fax: (503) 778-5299

Email: everettjack@dwt.com

Attorneys for Defendant Lexington Insurance Company